

1-22-02

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Express Mail Label No. EL608288037US

JCS25 U.S. PTO  
01/17/02

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
D-2933CIP

Borsey

Total Pages in this Submission

## TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application  
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

**METHODS OF ADMINISTERING BOTULINUM TOXIN**

and invented by:

**Patricia S. Walker**

J1050 U.S. PTO  
10/05/952  
01/17/02

If a CONTINUATION APPLICATION, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☒ Continuation-in-part (CIP) of prior application No.: 09/730,237

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Which is a:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.:

Enclosed are:

### Application Elements

1. ☒ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 57 pages and including the following:
  - a. ☒ Descriptive Title of the Invention
  - b. ☒ Cross References to Related Applications (if applicable)
  - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
  - d. ☐ Reference to Microfiche Appendix (if applicable)
  - e. ☒ Background of the Invention
  - f. ☒ Brief Summary of the Invention
  - g. ☐ Brief Description of the Drawings (if drawings filed)
  - h. ☒ Detailed Description
  - i. ☒ Claim(s) as Classified Below
  - j. ☒ Abstract of the Disclosure

**UTILITY PATENT APPLICATION TRANSMITTAL**  
**(Large Entity)**

*(Only for new nonprovisional applications under 37 CFR 1.53(b))*

Docket No.  
D-2933CIP

Total Pages in this Submission

**Application Elements (Continued)**

3. ☐ Drawing(s) *(when necessary as prescribed by 35 USC 113)*
- a. ☐ Formal                      Number of Sheets \_\_\_\_\_
- b. ☐ Informal                      Number of Sheets \_\_\_\_\_
4. ☒ Oath or Declaration
- a. ☒ Newly executed *(original or copy)*                      ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) *(for continuation/divisional application only)*
- c. ☒ With Power of Attorney                      ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application,  
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference *(usable if Box 4b is checked)*  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under  
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby  
incorporated by reference therein.
6. ☐ Computer Program in Microfiche *(Appendix)*
7. ☒ Nucleotide and/or Amino Acid Sequence Submission *(if applicable, all must be included)*
- a. ☒ Paper Copy
- b. ☒ Computer Readable Copy *(identical to computer copy)*
- c. ☒ Statement Verifying Identical Paper and Computer Readable Copy

**Accompanying Application Parts**

8. ☐ Assignment Papers *(cover sheet & document(s))*
9. ☒ 37 CFR 3.73(B) Statement *(when there is an assignee)*
0. ☐ English Translation Document *(if applicable)*
1. ☒ Information Disclosure Statement/PTO-1449                      ☒ Copies of IDS Citations
2. ☐ Preliminary Amendment
3. ☒ Acknowledgment postcard
4. ☒ Certificate of Mailing
- ☐ First Class    ☒ Express Mail *(Specify Label No.):* EL608288037US

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Docket No.

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## Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)

16. ☒ Additional Enclosures (please identify below):

Application Data Sheet

## Request That Application Not Be Published Pursuant To 35 U.S.C. 122(b)(2)

17. ☐ Pursuant to 35 U.S.C. 122(b)(2), Applicant hereby requests that this patent application not be published pursuant to 35 U.S.C. 122(b)(1). Applicant hereby certifies that the invention disclosed in this application has not and will not be the subject of an application filed in another country, or under a multilateral international agreement, that requires publication of applications 18 months after filing of the application.

## Warning

**An applicant who makes a request not to publish, but who subsequently files in a foreign country or under a multilateral international agreement specified in 35 U.S.C. 122(b)(2)(B)(i), must notify the Director of such filing not later than 45 days after the date of the filing of such foreign or international application. A failure of the applicant to provide such notice within the prescribed period shall result in the application being regarded as abandoned, unless it is shown to the satisfaction of the Director that the delay in submitting the notice was unintentional.**

# UTILITY PATENT APPLICATION TRANSMITTAL (Large Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.  
D-2933CIP

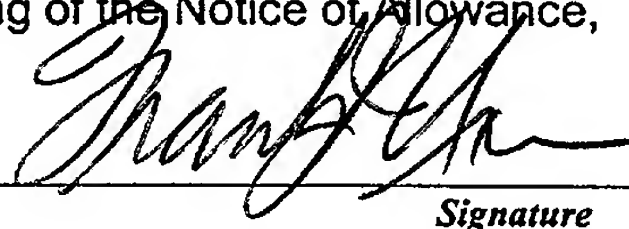
Total Pages in this Submission

## Fee Calculation and Transmittal

### CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	35	- 20 =	15	x \$18.00	\$270.00
Indep. Claims	6	- 3 =	3	x \$84.00	\$252.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$740.00
OTHER FEE (specify purpose) <u>Assignment Recordation</u>					\$40.00
TOTAL FILING FEE					\$1,302.00

- ☐ A check in the amount of \_\_\_\_\_ to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and credit Deposit Account No. **01-0885** as described below. A duplicate copy of this sheet is enclosed.
- ☒ Charge the amount of **\$1,302.00** as filing fee.
- ☒ Credit any overpayment.
- ☒ Charge any additional filing fees required under 37 C.F.R. 1.16 and 1.17.
- ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

  
Signature

Dated:

1/17/02

Frank J. Uxa  
Reg. No. 25,612  
Stout, Uxa, Buyan & Mullins, LLP  
4 Venture, Suite 300  
Irvine, CA 92618  
Tel: 949-450-1750

CC:

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application:	/	
Patricia S. Walker	/	BOX NEW APP FEE
	/	
Filed: Herewith	/	
	/	
For: METHODS OF ADMINISTERING	/	
BOTULINUM TOXIN	/	
	/	
	/	

EXPRESS MAIL MAILING LABEL NO.

**EL608288037US**

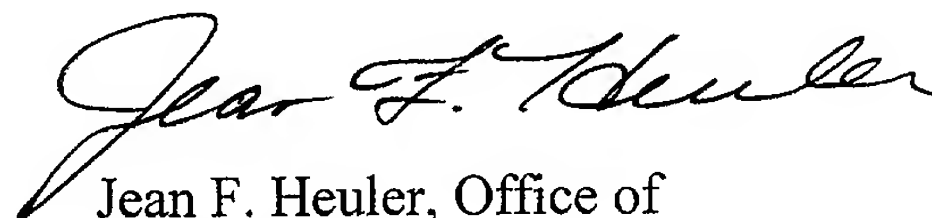
Date of Deposit: **January 17, 2002**

I hereby certify that the following documents as identified below are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under CFR 1.10 on the date indicated above and are addressed to the Commissioner for Patents, Box New App Fee, Washington, D.C. 20231:

1. Transmittal letter;
2. Specification/Claims/Abstract 57 pages;
3. Declaration and Power of Attorney;
4. Application Data Sheet;
5. Assignment and Recordation Form Cover Sheet;
6. Information Disclosure Statement;
7. Form 1449 and copies of eight (8) cited art references;
8. Sequence Listing - Paper copy;
9. Sequence Listing - CRF;
10. Statement regarding compliance with 37 CFR 1.821-1.825;
11. Return Receipt postcard.

Each of the 11 above-identified documents are enclosed herewith.

Respectfully submitted,



Jean F. Heuler, Office of  
Frank J. Uxa  
Attorney for Applicant  
Registration No. 25,612  
4 Venture, Suite 300  
Irvine, CA 92618

Telephone 949/ 450-1750  
Facsimile 949/ 450-1764

[illegible]

# PATENT

In re application of:  
Patricia Walker  
Serial No. Pending  
Dated: Herewith  
For: METHODS OF ADMINISTERING  
BOTULINUM TOXIN

## ENTRY OF SEQUENCE LISTING

Commissioner for Patents  
Washington, DC 20231

Dear Sir:

Attached is the "Sequence Listing" which complies with the requirements of 37 CFR 1.821-1.825, for the above-identified application, in computer readable form (CRF) and paper form. The contents of the paper and computer readable copies are the same and include no new matter.

Respectfully submitted,

36 York

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